

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JENNIFER MARIE WHITE,

Plaintiff,

v.

CONVERGENT OUTSOURCING
INC.,

Defendant.

CASE NO. C23-182 MJP

ORDER OF CONSOLIDATION

The Court issues this Order sua sponte after reviewing the complaint (Dkt. No. 1). The Court ORDERS that this matter be consolidated for all purposes with the consolidated matter of Guy v. Convergent Outsourcing Inc., C22-1558 MJP.

Under Rule 42(a), the Court may consolidate cases that involve common questions of law or fact. Fed. R. Civ. P. 42(a). The Court enjoys broad discretion in making this determination. See Inv'rs Research Co. v. U.S. Dist. Ct. for Cent. Dist. of Cal., 877 F.2d 777, 777 (9th Cir. 1989). The Court usually considers several factors in analyzing consolidation, including judicial economy, whether consolidation would expedite resolution of the case, whether separate cases

may yield inconsistent results, and the potential prejudice to a party opposing. See 9 Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure: Civil § 2383 (3rd ed. 2020).

Consolidation is appropriate here given that this action presents common questions of law and fact with those presented in the consolidated matter of Guy v. Convergent Outsourcing Inc. and there are substantial efficiencies to be gained by consolidation. This action and the consolidated Guy action concern the same data breach resulting from a cyber-attack on Convergent. And the Plaintiff in this action pursues the same or similar causes of action against Convergent as the plaintiffs pursue in Guy and on behalf of an overlapping proposed class. Consolidation for all purposes will conserve party and judicial resources. And the Court is unaware of any inconvenience, delay, confusion, or prejudice that may result from consolidation.

As such, the Court ORDERS that this matter be CONSOLIDATED with Guy v. Convergent Outsourcing Inc., C22-1558 MJP. All filings in this action shall be filed on the docket of the first-filed case (C22-1558) with the following caption:

LEO GUY, individually, and on behalf
of all others similarly situated,

Plaintiff,

v.

CONVERGENT OUTSOURCING,
INC.,

Defendant.

CASE NO. C22-1558 MJP

The Clerk is directed to file this Order on the docket of C23-182 and administratively close the action.

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1 The clerk is ordered to provide copies of this order to all counsel.

2 Dated February 9, 2023.

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4 Marsha J. Pechman
5 United States Senior District Judge
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